



Learning Modules:

- 1. The Distressed Individual (pages 2 – 4)**
- 2. The Conversation and Referral (pages 5 – 7)**

A friend, colleague, or family member may appear to be in distress. You may want to help but you may be hesitant for a number of reasons, including: "I don't know what to do or what to say".

This course is designed to give you the knowledge and the confidence to have the conversation with someone who may be struggling with personal issues and to refer them to appropriate sources of help.

For general and contact information, please refer to pages 8 and 9.



Lesson 1: The Distressed Individual

1. What are the signs?

Often it is obvious that someone is in distress. Sometimes it is subtle. Here are some common signs that someone may be experiencing some form of personal issue:

- Sudden changes in behavior or personality
- Rapid changes in mood
- Very down, lethargic
- Excessively nervous, agitated and jumpy
- Overly suspicious, hostile or defensive
- Erratic or uncharacteristic behavior
- Argumentative
- Blames others for problems
- Personal appearance deteriorates
- Excessive weight gain or loss
- Smells of alcohol
- Excessive use of alcohol or drugs
- Accident prone
- Often ill and/or absent from work
- Taking unnecessary chances
- Obsessive about responsibilities
- Decrease in work performance, enthusiasm, interest and/or confidence

To learn more about what you may see when someone may be having a problem with alcohol, visit www.albertalawyersassist.ca.

To learn more about how personal difficulties may show up in the workplace, visit the Canadian Mental Health Association website (www.mentalhealthworks.ca).

2. Potential Barriers to "Getting Involved"

- "It's not my business"
- "I need to respect their privacy"
- "I would be crossing a boundary"
- "I don't want to make them feel worse"
- "I don't know what to do or say"
- "Someone else will say something"

These are some of the fears, feelings, and beliefs that may prevent us from approaching someone.

3. Responding to Potential Barriers

In response, we invite you to consider:

- While it feels complex, reaching out is a very simple act of human kindness: trust yourself.
- The potential upside to expressing concern and offering help is significant. Basic happiness, a career, and even a life might be saved.
- It is possible no one else will say anything.
- Would you be offended if someone respectfully expressed concern for you and offered help?

4. A Consideration for Lawyers

If you are a lawyer or articling student, you are governed by the legal profession's Code of Conduct. On November 1, 2011 a new Code of Conduct outlining your professional responsibilities was adopted.

You are encouraged to review Article 6.01(3) and the related commentary regarding a lawyer's duty to report the misconduct of another lawyer.

While reporting obligations are limited (even more so when you are trying to help another lawyer seek help) – if concerns about ethical obligations that may exist under the Code are causing you to hesitate in reaching out to a colleague, make a confidential call to **Assist** to work it through.

Also, the Law Society of Alberta's Practice Advisors provide confidential advice when considering if a section of the Code is applicable to the particular circumstances.

5. The "Inside" View

The distressed person may be:

- Scared
- Embarrassed
- Ashamed
- Denying or ignoring the issue
- Feeling isolated
- Unaware of changes in their own behavior
- Confused and not knowing what to do or who to talk to

These and other reasons may prevent them from seeking help.

Stigma can be overwhelming.

"2 out of 3 people may not seek help on their own" – A 2002 Statistics Canada Survey found the rate of access to professional help or other community resources by those experiencing problems associated with emotions, mental health, or alcohol or drug use was between 32 – 37%.

6. Did You Know?

In addition to helping individuals in distress, **Assist** helps individuals and organizations help others who may be in distress.

You are not alone when reaching out to help someone else. Call **Assist** and receive advice and coaching on dealing with a distressed friend, colleague, or family member.

If initial prompting to seek help has been unsuccessful and an individual is in severe distress, a planned intervention involving professional help, colleagues, peers, family members, or others may be warranted. The professionals at **Assist** can help you and other concerned parties make that determination.

If you are in a situation where an individual is threatening to harm themselves or others, call 911.

7. Deciding to Reach Out

An individual appears to be in distress, you have the **Assist** professionals available for support and you decide to reach out.

Continue to *Lesson 2: The Conversation and Referral* to learn how.



Lesson 2: The Conversation and Referral

1. Taking Action

Reaching out:

- Be prepared
- The conversation and the referral
- Possible reactions

What to do? What to say? What might happen?

Proceed through this lesson to answer these critical questions and feel confident in reaching out to help.

2. Be Prepared

Assess how you are feeling. It may not be the time to reach out to help someone else if you are in the middle of a work or personal crisis yourself.

Free yourself of any judgments, assessments, or diagnoses you may have and enter the interaction as a compassionate observer.

Be clear about the goals of your conversation. Is it to express concern and encourage the person to seek help?

Be clear with yourself about your role. You are there to express concern and be a catalyst. You are not a medical professional or a saviour. You are simply trying to help a fellow human being who may be in distress.

Have an **Assist** brochure, business card, or simple piece of paper with a phone number to call for help. Make help readily accessible.

3. The Basics of the Conversation

Be discreet and respect privacy. You can be in a public space but it is not a public conversation.

Do not label (i.e. "You are depressed" or "You are an alcoholic").

Instead, describe observations (i.e. "I noticed you seem quiet and withdrawn lately" or "I noticed you were slurring your words and smelled of alcohol").

Express concern for the individual and tell them why you are concerned.

Make a respectful request for action: "Please consider making a call to **Assist** (or other helping resource) – here is the number..."

4. Workplace Considerations

The basics still apply. The workplace can present unique challenges if job performance or behavior has deteriorated. Employers also have business priorities that must be managed.

- Apply the “rule-it-out” rule – is some form of distress (mental, emotional, substance abuse, etc.) contributing to the performance issue?
- Then, go through the *Basics* (see above).
- If circumstances warrant, insist upon a professional health assessment.

5. Managing the Distressed Employee

Is some form of distress contributing to the performance issue?

- If yes, then ask: What can you, as employer, do to support the individual’s recovery and return to positive performance? From there, generate a tailored response (consider any legal duty to accommodate).
- If no, the situation becomes a pure performance management issue.

To learn more about managing the distressed employee, check out the *Forbes Employer’s Handbook* (available in the Resource section of the **Assist** website).

6. Family Considerations

Emotions can run much higher in a family situation and the impact of your family member’s behavior flowing from their distress may have a bigger impact on you and others in the family.

- Be prepared for an emotional reaction from the family member in distress and from yourself. Try to stay calm and bring the conversation back to the basics.
- In addition to describing your observations of your family member, also describe (without blame or judgment) the impact that their distress and resulting behavior is having on you and the family. This may provide added motivation for action.
- Be solution focused and discuss what they and “we” need to do to improve the situation.

7. Possible Reactions: Emotional

The individual may react to your reaching out in many ways, including:

- **An outpouring of emotion:** This represents an excellent opportunity, in all circumstances, to first listen (let it all come out), acknowledge and validate the emotion, and help the person access the appropriate helping resources. Follow up. Continue to support.

8. Possible Reactions: "I'm Fine"

- **The polite "Thank you, I am fine" or the person may deny any issue exists.** Your response to either of these reactions may vary depending on the circumstances:
 - If it is a friend or colleague – you may have done all you can do at that point. A seed for future action may have been planted. Keep observing and check back in.
 - If it is a family member or an employment situation, it may not be OK to leave it as is for now. Consider seeking professional advice on next steps.

9. Possible Reactions: Self Destructive

- **In rare circumstances the individual may threaten harm to self or others:**
 - Reassure and express concern about the mood/sentiment.
 - Strongly recommend immediate professional help.
 - Offer to call for assistance.
 - Ensure safe transportation.
 - If needed, call for professional crisis help through **Assist** or call 911.

10. Possible Reactions: Destructive

- **Destructive behavior (threatening, menacing, aggressive):**
 - Firmly ask the individual to stop the destructive behavior.
 - Stay calm and indicate security or police will be called.
 - Limit escalation by speaking calmly and focusing on process, i.e. "Please sit down so we can talk about how I can help you".
 - Point out the downside of behavior and express value they have to you as a friend, colleague, employee, etc.
 - Call 911 if the situation does not calm down.

11. Available Resources

Call **Assist** to learn more about the services available to you:

1 877 737 5508

Check out other resources: www.albertalawyersassist.ca

12. Resource Acknowledgements

A number of resources were consulted* in the preparation of this learning module, including and with thanks to:

- Dr. Brian Forbes, *Forbes Psychological Services*
- The *Ontario Lawyers' Assistance Program* website
- The *Canadian Mental Health Association* website
- The *Legal Education Society of Alberta*

***Assist** is entirely responsible for the accuracy and validity of the information offered in this learning module.



The Alberta Lawyers' Assistance Society (Assist)

Assist is a charitable society providing help to lawyers, law and articling students, and their families with personal issues.

Our goal is to prevent crisis and keep lawyers and law students happy and healthy.

Assist is governed by an independent Board of Directors. Confidentiality is the corner stone of our programs and services.

FREE CONFIDENTIAL SERVICES

Professional Counselling

Assist provides up to four hours of professional counselling to you and your family. This time is given to each family member, per issue, per year, so that problems can be assessed and referrals made to long-term sources of help, if necessary. Our counsellors are located across the province, and are available for emergencies.

Peer Support

This is a program of lawyers helping lawyers. The goal is to develop a relationship of trust and confidentiality with another lawyer who relates to your experiences, providing encouragement and hope.

Resources

Assist offers information on various topics such as Career & Education, Physical & Mental Health, Work-Life Balance, Stress Management, and Overcoming Addictions.

VOLUNTEER OPPORTUNITIES

Peer Support Program

Join a network of support through lawyers helping lawyers. You will have the opportunity to provide one-on-one personal or career-related support. You will receive training outlining your responsibilities and required skills in offering peers help, encouragement, and referrals to appropriate resources.

Committees

Assist is supported by working committees. You will be able to contribute your background and skills to any one of these committees, such as Communications, Funding, Succession Planning, Law Schools, and Peer Support.

Representatives

Assist speaks at workshops and events, publishes a quarterly on-line newsletter, offers a website with resources, and contributes to various publications. Your contribution is welcomed.

Contact Information

For immediate help call **1 877 498 6898** (toll free) from anywhere in Alberta.

For more information on **Assist's** services and to access our online resources, visit our website at:
www.albertalawyersassist.ca

To speak with someone at **Assist** about our services or volunteer opportunities, call **403 537 5508** or **1 877 737 5508**.



Peer Support Program

The Peer Support program matches a judge, lawyer or law student seeking help with a peer that understands the person or problem. Peer Support is a free and confidential program where a volunteer lawyer offers practical, emotional, and social support to a peer.

What is the Peer Support program?

- Peer Support occurs when someone shares their knowledge and experience, whether practical, emotional or social, to help another person.
- Peer Support is a voluntary service offered through Assist that can be used on its own or in conjunction with professional counselling services.
- Peer Support is confidential, within legal & ethical boundaries, in all situations.
- All interactions are discreet, confidential, and respectful.

What can I expect as a participant?

- After contacting Assist, you will be quickly matched with a Peer Support volunteer who has shared a similar experience or who can relate to you.
- Your Peer Support match will be available to talk, share resources, and attend support meetings with you.
- You can shape the Peer Support relationship based on your needs, while maintaining respect for personal boundaries (there is no minimum or maximum amount of interactions).
- A relationship of trust and confidentiality with someone who can relate to your experiences.
- experiences.

What can I expect as a volunteer?

- An opportunity to help lawyers who are in need of emotional, personal, or career-related support.
- Training outlining your responsibilities and developing skills as a Peer Support Volunteer.
- A chance to offer support, encouragement, and referral to appropriate resources.
- The ability to accept or decline peer support matches depending on your comfort level and previous experiences.
- A network of support through Assist's Peer Support program and Professional psychological services.

How do I get involved?

Participant: Call 403 537 5508 or toll free, 1 877 737 5508. We are here to listen and will arrange a Peer Support match.

Volunteer: Visit our website for an online application at www.albertalawyersassist.ca or call 403 537 5508 or toll free, 1 877 737 5508 to sign up for the next training session.